

RUSH HUDSON LIMBAUGH, SR., UNITED STATES
COURTHOUSE

FEBRUARY 12, 2007.—Referred to the House Calendar and ordered to be printed

Mr. OBERSTAR, from the Committee on Transportation and
Infrastructure, submitted the following

R E P O R T

[To accompany H.R. 342]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the bill (H.R. 342) to designate the United States courthouse located at 555 Independence Street, Cape Girardeau, Missouri, as the “Rush Hudson Limbaugh, Sr., United States Courthouse”, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. RUSH HUDSON LIMBAUGH, SR. UNITED STATES COURTHOUSE.

(a) DESIGNATION.—The United States courthouse located at 555 Independence Street in Cape Girardeau, Missouri, shall be known and designated as the “Rush Hudson Limbaugh, Sr., United States Courthouse”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in subsection (a) shall be deemed to be a reference to the “Rush Hudson Limbaugh, Sr., United States Courthouse”.

Amend the title so as to read:

A bill to designate the United States courthouse located at 555 Independence Street in Cape Girardeau, Missouri, as the “Rush Hudson Limbaugh, Sr., United States Courthouse”.

PURPOSE OF THE LEGISLATION

H.R. 342 as amended designates the United States Courthouse located at 555 Independence Street, Cape Girardeau, Missouri as the Rush Hudson Limbaugh, Sr., United States Courthouse.

BACKGROUND AND NEED FOR LEGISLATION

Rush Hudson Limbaugh, Sr. was born in Bollinger County, Missouri on September 27, 1891.

He began his education in a one room school a mile from his farm home. He attended the University of Missouri at Columbia and in 1914 entered the University of Missouri Law School. He skipped his third year of law school, passed the Missouri bar exam, and was admitted to practice in 1916.

Limbaugh was a leading figure in the legal profession for his accomplishments not just in Missouri and the United States, but around the world. At the time of his death, at the age of 104, he was still practicing law after nearly eight decades. He was the nation's oldest practicing attorney. He argued over 60 cases before the Missouri Supreme Court. He tried cases before the Interstate Commerce Commission, the U.S. Labor Board and the Internal Revenue Appellate Division.

Limbaugh served as City Attorney of Cape Girardeau from 1917 to 1919. In 1923, he started a law firm that still bears his name. From 1942 until 1946 he served as Missouri Counsel for the War Emergency Pipelines, through which gasoline was transported from Texas and Louisiana to the East Coast as a war measure. He was President of the Missouri Bar from 1955 to 1956. He served on the committee that drafted the 1955 Missouri Probate Code and served as Chairman of the Real Property, Probate, and Trust Law Section of the American Bar Association from 1954–1955. Limbaugh also served as Counsel to what is now Southeast Missouri State University for over four decades. In the early days of Indian independence in the 1950s, the U.S. State Department sent him to India to be an ambassador for the U.S. legal system.

He was also active in other areas of civic life. He was elected to the Missouri State Legislature from 1931 to 1932, where he pressed for the formation of the Missouri State Highway Patrol and the consolidation of school districts. He served as President of the State Historical Society of Missouri from 1956 to 1959. He was also a Sunday school teacher, and a member of many local civic organizations including the Boy Scouts of America, Centenary United Methodist Church, and the Salvation Army.

Rush H. Limbaugh Sr. died in his home on April 8, 1996.

Rush H. Limbaugh Sr. will be remembered as more than a brilliant attorney; he will also be remembered as a great American. As such, it is very appropriate that the United States Court House in Cape Girardeau, Missouri be designated the "Rush H. Limbaugh, Sr., United States Courthouse."

SUMMARY OF THE LEGISLATION

Section 1. Rush Hudson Limbaugh, Sr., Federal Courthouse

Section 1(a) designates the courthouse located at 555 Independence Street, Cape Girardeau, Missouri as the Rush Hudson Limbaugh Sr., United States Courthouse.

Section 1(b) declares any reference in law, map, regulation, document, paper, or other record of the United States to the United States Courthouse referred to in subsection (a) shall be deemed to be a reference to the Rush Hudson Limbaugh, Sr., United States Courthouse.

LEGISLATIVE HISTORY AND COMMITTEE CONSIDERATION

In the 109th Congress, H.R. 6055, a bill to designate the United States Courthouse located at 555 Independence Street, Cape Girardeau as the Rush Hudson Limbaugh, Sr., United States Courthouse was introduced. The bill was referred to the Committee on Transportation and Infrastructure. No further action was taken.

On February 6, 2007 the Subcommittee on Economic Development, Public Buildings, and Emergency Management met in open session and considered H.R. 342. The Subcommittee recommended the bill favorably to the Committee on Transportation and Infrastructure by voice vote.

On February 7, 2007 the Committee on Transportation and Infrastructure met in open session and adopted an amendment in the nature of a substitute by voice vote. The amendment deleted a comma in the title of the bill. The Committee on Transportation and Infrastructure ordered the bill reported as amended to the House by voice vote.

RECORD VOTES

Clause 3(b) of rule XIII of the House of Representatives requires each committee report to include the total number of votes cast for and against on each record vote on a motion to report and on any amendment offered to the measure or matter, and the names of those members voting for and against. There were no recorded votes taken in connection with ordering H.R. 342 reported. A motion to order H.R. 342, as amended, reported favorably to the House was agreed to by voice vote.

COMMITTEE OVERSIGHT FINDINGS

With respect to the requirements of clause 3(c)(I) of rule XIII of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in this report.

COST OF LEGISLATION

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives does not apply where a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 has been timely submitted prior to the filing of the report and is included in the report. Such a cost estimate is included in this report.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, February 8, 2007.

Hon. JAMES L. OBERSTAR,
*Chairman, Committee on Transportation and Infrastructure,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed the following bills as ordered reported by the House Committee on Transportation and Infrastructure on February 7, 2007:

- H.R. 584, a bill to designate the Federal building located at 400 Maryland Avenue, Southwest in the District of Columbia, as the "Lyndon Baines Johnson Department of Education Building";

- H.R. 544, a bill to designate the United States courthouse at South Federal Place in Santa Fe, New Mexico, as the “Santiago E. Campos United States Courthouse”;
- H.R. 478, a bill to designate the Federal building and United States courthouse located at 101 Barr Street in Lexington, Kentucky, as the “Scott Reed Federal Building and United States Courthouse”;
- H.R. 430, a bill to designate the United States bankruptcy courthouse located at 271 Cadman Plaza East, Brooklyn, New York, as the “Conrad B. Duberstein United States Bankruptcy Courthouse”;
- H.R. 429, a bill to designate the United States courthouse located at 225 Cadman Plaza East, Brooklyn, New York, as the “Hugh L. Carey United States Courthouse”;
- H.R. 399, a bill to designate the United States courthouse to be constructed in Jackson, Mississippi, as the “R. Jess Brown United States Courthouse”; and
- H.R. 342, a bill to designate the United States courthouse located at 555 Independence Street in Cape Girardeau, Missouri, as the “Rush Hudson Limbaugh, Sr., United States Courthouse.”

CBO estimates that enactment of these bills would have no significant impact on the federal budget and would not affect direct spending or revenues. These bills contain no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments. If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Matthew Pickford.

Sincerely,

PETER R. ORSZAG,
Director.

COMPLIANCE WITH HOUSE RULE XIII

1. With respect to the requirement of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, and 308(a) of the Congressional Budget Act of 1974, the Committee references the report of the Congressional Budget Office included in the report.

2. With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the performance goals and objective of this legislation are to designate the United States Courthouse located at 555 Independence Street, Cape Girardeau, Missouri as the Rush Hudson Limbaugh, Sr. United States Courthouse.

3. With respect to the requirement of clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has received the enclosed cost estimate for H.R. 342 from the Director of the Congressional Budget Office.

COMPLIANCE WITH HOUSE RULE XXI

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, H.R. 342 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in

clause 9(d), 9(e), or 9(f) of rule XXI of the Rules of the House of Representatives.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause (3)(d)(1) of rule XIII of the Rules of the House of Representatives, committee reports on a bill or joint resolution of a public character shall include a statement citing the specific powers granted to the Congress in the Constitution to enact the measure. The Committee on Transportation and Infrastructure finds that Congress has the authority to enact this measure pursuant to its powers granted under article I, section 8 of the Constitution.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act (Public Law 104–4).

PREEMPTION CLARIFICATION

Section 423 of the Congressional Budget Act of 1974 requires the report of any Committee on a bill or joint resolution to include a statement on the extent to which the bill or joint resolution is intended to preempt state, local, or tribal law. The Committee states that H.R. 342 does not preempt any state, local, or tribal law.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act are created by this legislation.

APPLICABILITY TO THE LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act (Public Law 104–1).

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

H.R. 342 makes no changes in existing law.

